
Public Employee Relations Board

FY 2002 Proposed Operating Budget: \$686,000
 FY 2002 Proposed Capital Budget: \$0

The Public Employee Relations Board provides for the impartial resolution of labor-management disputes in the District government pursuant to the District of Columbia's Comprehensive Merit Personnel Act of 1978.

The FY 2002 proposed operating budget from all funding sources is \$686,000, an increase of \$34,449, or 5.3 percent, over the FY 2001 approved budget.

Budget Summary

The FY 2002 proposed operating budget for the Public Employee Relations Board (PERB) is \$686,000, an increase of \$34,449, or 5.3 percent, over the FY 2001 approved budget (table CG0-1). There are 4 full-time equivalents (FTEs) supported by this budget, no change from FY 2001 (table CG0-2).

requests made by the labor-management community more efficiently.

Agency Background

PERB is an impartial, quasi-judicial, independent agency empowered with the exclusive jurisdiction to resolve labor-management disputes between District government agencies and labor organizations representing employees of those agencies. PERB was created pursuant to Section 501 of the District of Columbia Comprehensive Merit Personnel Act (CMPA), which became effective January 1, 1980.

Strategic Issues

In FY 2002, PERB will foster positive, productive labor-management relations as part of its statutory responsibilities. To this end, it will:

- Enforce its orders and defend any appeals filed either in the D.C. Superior Court or the D.C. Court of Appeals.
- Review PERB Rules and amend those rules as needed.
- Schedule and hold hearings and render decisions in a timely manner.

Programs

Pursuant to Section 501 of the CMPA, PERB is responsible for:

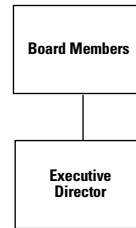
- Determining appropriate compensation and noncompensation units for unionized District employees.
- Adjudicating unfair labor practice complaints.
- Facilitating the resolution of impasses in contract negotiations.
- Adopting rules and regulations for conducting the business of PERB.

FY 2002 Initiatives

- Implement agency Web site.
- Complete conversion of agency files to CD-ROM, which will allow PERB to process

Figure CG0-1

Public Employee Relations Board



- Certifying and decertifying collective bargaining units, i.e., granting the unionization of a select group of District government employees. Determination to certify is made on a case-by-case basis based on the supporting documents filed by a labor organization. The essential ingredient is “community of interest.” In addition, the collective bargaining unit must promote effective labor relations and efficiency in agency operations.

Once a collective bargaining unit is certified, that certification stays in place until a decertification petition is filed and granted pursuant to Board Rule 505. Such petitions may be filed by an employer, an employee, or employees in the certified collective bargaining unit. If PERB determines that a majority of the District government employees in the unit do not wish to be represented by the labor organization, then PERB can decertify the collective bargaining unit.

- Investigating complaints about unfair labor practices and standards of conduct when an allegation is made that the District, a labor organization, or District government employee(s) have violated the labor management provisions of the Comprehensive Merit Personnel Act (CMPA). If there are no issues of fact to be determined, PERB may issue a decision based on the law. However, if there are issues of fact to be determined, PERB assigns a hearing examiner to conduct a hearing. The hearing examiner provides PERB with a report and recommendation. PERB can adopt, reject, or modify the hearing examiner’s findings and conclusions.

- Considering appeals of grievance arbitration awards. Additionally, PERB reviews negotiability appeals in order to determine if a proposal is within the scope of bargaining.
- Defending agency decisions and orders that are appealed in the D.C. Superior Court and the D.C. Court of Appeals. Pursuant to D.C. Code Sec. 1-618.13(c), any person aggrieved by a final order issued by PERB may appeal to the D.C. Superior Court within 30 days of PERB’s order. If the aggrieved party is not satisfied with the D.C. Superior Court decision, he or she may appeal the decision to the D.C. Court of Appeals.
- Publishing PERB’s decisions in the *D.C. Register*.

Consistent with the above-noted responsibilities, PERB also is authorized to issue subpoenas, conduct hearings, seek judicial enforcement of its orders, and retain independent counsel to represent its interests.

Figure CG0-1 is the organizational chart for PERB.

Funding Summary

The Public Employee Relations Board receives 100 percent of its funding from local sources. The proposed FY 2002 local budget is \$686,000, an increase of \$34,449 over the FY 2001 approved budget. Of this increase in funding, personal services increased by \$27,963 and nonpersonal services increased by \$6,486.

The change in personal services is a \$27,963 increase to align the agency’s personal services budget with current authorized staffing levels and provide step increases. Refer to the FY 2002

Table CG0-1

FY 2002 Proposed Operating Budget, by Comptroller Source Group

(dollars in thousands)

Public Employee Relations Board

	Actual FY 2000	Approved FY 2001	Proposed FY 2002	Change from FY 2001
Regular Pay - Cont. Full Time	191	244	265	21
Additional Gross Pay	17	0	0	0
Fringe Benefits	36	41	48	7
<i>Subtotal Personal Services (PS)</i>	<i>245</i>	<i>285</i>	<i>313</i>	<i>28</i>
Supplies and Materials	3	3	3	0
Communications	5	18	4	-14
Rentals - Land and Structures	90	96	97	1
Janitorial Services	0	0	2	2
Other Services and Charges	16	62	42	-20
Contractual Services	109	181	225	43
Equipment and Equipment Rental	28	6	0	-6
<i>Subtotal Nonpersonal Services (NPS)</i>	<i>249</i>	<i>366</i>	<i>373</i>	<i>6</i>
Total Proposed Operating Budget	494	652	686	34

Table CG0-2

FY 2002 Full-Time Equivalent Employment LevelsPublic Employee Relations Board

	Actual FY 2000	Approved FY 2001	Proposed FY 2002	Change from FY 2001
Continuing full-time	3	4	4	0
Total FTEs	3	4	4	0

Table CG0-3

FY 2002 Proposed Operating Budget, by Revenue Type

(dollars in thousands)

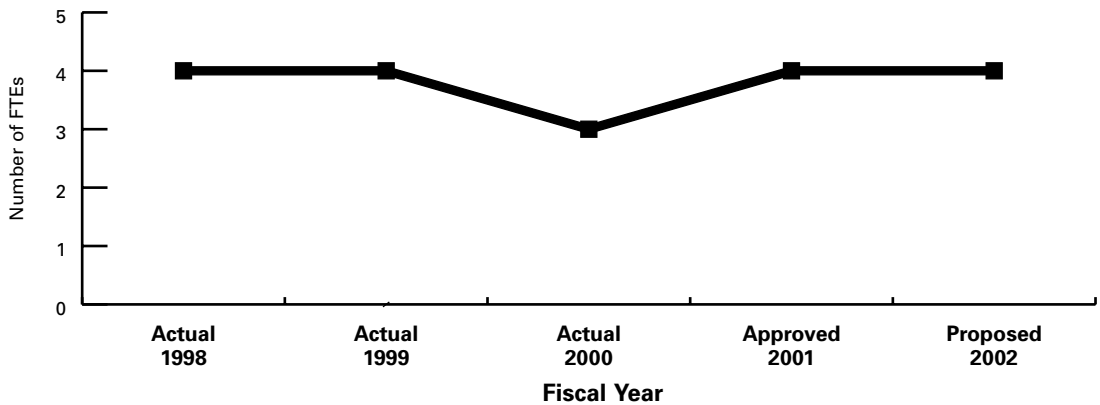
Public Employee Relations Board

	Actual FY 1998	Actual FY 1999	Actual FY 2000	Approved FY 2001	Proposed FY 2002
Local	420	515	494	652	686
Gross Funds	420	515	494	652	686

Figure CG0-2

PERB Employment Levels, FY 1998–Proposed FY 2002

(gross FTEs)



Operating Appendices (bound separately) for details.

The change in nonpersonal services comprises:

- \$45,158 increase for contractual services.
- \$20,126 decrease in other services and charges.
- \$12,357 net decrease in rent and telecommunications.
- \$6,189 decrease for equipment and supplies.

Trend Data

Table CG0-3 and figure CG0-2 shows expenditure and employment histories for FY 1998–Proposed FY 2002.

Agency Goals and Performance Measures**Goal 1. Foster positive, productive labor-management relations.**

City-wide Strategic Priority Area: Making government work

Manager: Julio A. Castillo, Executive Director

Supervisor: Julio A. Castillo, Executive Director

Performance Measure 1.1: Percentage of cases decided within 120 days of submission to the Board

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	NA	100	100	100	TBD
Actual	NA	100	—	—	—

Performance Measure 1.2: Percentage of decisions transmitted to the D.C. Register for publication within 60 days of issuance

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	NA	100	100	100	TBD
Actual	NA	100	—	—	—

Performance Measure 1.3: Percentage of cases appealed to courts in which the Public Employee Relations Board prevailed

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	NA	80	70	80	TBD
Actual	NA	100	—	—	—

Performance Measure 1.4: Percentage of compensation impasse resolution cases that meet statutory time targets (e.g., mediation within 30 days, arbitration within 45 days after the panel has been established)

	Fiscal Year				
	1999	2000	2001	2002	2003
Target	NA	100	100	100	TBD
Actual	NA	100	—	—	—